IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CIVIL APPLICATION NO.2373 OF 2007
IN
FIRST APPEAL (ST) NO.27315 OF 2006

Office Notes, Office Memoranda of Coram, appearances, Court's order or directions	Court's or Judge's orders
¦ Mr.C.M.Lokesh i/b G.S.Hedge & Associates for the Applicant. ¦ Mr.Milind Deshmukh for the Respondent. ¦ ¦ **CORAM: D.K.DESHMUKH &** ¦ V.M.KANADE**, JJ.** ¦ **DATED:** 6TH DECEMBER, 2007	

P.C.:

Heard learned Counsel for both sides. In the absence of any reply accepting the averments made in the civil application at their face value, Civil Application is granted in terms of prayer clause (a).

(D.K.DESHMUKH, J.)

(V.M.KANADE, J.)

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P.C.:

Admit.

(D.K.DESHMUKH, J.)

(V.M.KANADE, J.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

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CIVIL APPLICATION NO.2374 OF 2007
IN
FIRST APPEAL (ST) NO.27315 OF 2006

Office Notes, Office Memoranda of Coram, appearances, Court's order or directions	Court's or Judge's orders
	¦ Mr.C.M.Lokesh i/b G.S.Hedge & Associates for the Applicant. Mr.Milind Deshmukh for the Respondent.
	¦ **CORAM: D.K.DESHMUKH &** V.M.KANADE**, JJ.**
	¦ **DATED:** 6TH DECEMBER, 2007

P.C.:

By consent of parties, Civil Application is disposed of in following terms:

(i) The judgment and decree impugned in the appeal is stayed subject to condition that within eight weeks from today the Appellant deposits the entire decretal amount with the trial court with due intimation to the Respondent.

(ii) On deposit being made, the trial court shall permit the Respondents to withdraw the amount on their filing an undertaking in the trial court undertaking to this court to bring back the amount if so directed by this court and on such terms and conditions as may be directed by this court and on furnishing a bank guarantee of a nationalised bank to the satisfaction of the trial court.

(ii) Withdrawl be permitted within a period of eight weeks from the date of deposit.

(iii) If the amount is not withdrawn within the aforesaid period, it shall be invested in fixed deposit in any nationalised bank during the pendency of this Appeal.

(iv) Civil Application disposed of.

(D.K.DESHMUKH, J.)

(V.M.KANADE, J.)